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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,481	09/28/2001	Nathan Y. Moyal	INTL-0552-US (P11111)	6467

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EXAMINER

NGUYEN, HAI L

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 05/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/966,481

Applicant(s)

MOYAL, NATHAN Y.

Examiner

Hai L. Nguyen

Art Unit

2816

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-13, 16-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-13, 16-18 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendments filed on 02/25/03 and 03/21/03 have been received and entered in the case. The prior art rejections to the claims made in the Office Action mailed on 01/29/03 are now withdrawn in view of Applicant's amendments. A new action on the merits appears below.

### ***Claim Objections***

2. Claim 11 is objected to because of the following informalities: in line 5, "first" should be changed to --second--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 11-13, 16-18, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11 is indefinite because the limitation "a supply voltage", on line 6, lacks clear antecedent basis. It appears that this "supply voltage" is the same as "supply voltage" recited on line 2 of claim 11.

Claims 12, 13, 16-18 and 20 are rejected due to their dependencies on claim 11.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 11, 13, 16-18, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Shay (US 5,323,067; previously cited).

With regard to claims 11, Shay discloses in Fig.1 an integrated circuit comprising an activation circuit (12, 14, 16, 50, 62, 76) to determine whether a supply voltage (VDD) reaches a predetermined level, the activation circuit including an inverter (76) coupled to the gate of a load transistor (64), a second transistor (66) coupled to the load transistor and a third transistor (60) coupled between the load transistor and the second transistor; a pulse generator (68, 70, 72, 74) to generate pulses (38, 40) to indicate that the supply voltage is ramping up and to terminate the generation of the pulses after the supply voltage reaches a predetermined level (see column 4, line 16 through column 5, lines 33); and a feedback path to provide an output of the pulse generator to the activation circuit, the activation circuit to latch a high in response to a low signal on the feedback path (note 35 is High in response to a low on node 30).

With regard to claim 13, the integrated circuit includes a level detector (14) that detects when a voltage is above at least two transistor threshold voltages, the level detector operative to control the pulse generator (column 4, line 6 through column 5, line 13).

With regard to claim 16, the integrated circuit includes a pair of transistors (58, 64) that must both conduct in order to generate the pulse.

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With regard to claim 17, the integrated circuit includes a capacitor circuit (64) to enable the supply voltage to reach a designated output level (see column 5, lines 14-33).

With regard to claim 18, the integrated circuit includes a hysteresis sense stage (58, 60) coupled to the capacitor circuit (see column 4, line 27 through column 5, line 13).

With regard to claim 20, the integrated circuit includes a circuit (18) to latch the pulse generator in response to the supply voltage being in a first state.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shay in view of Ansel et al. (US 5,809,312; previously cited).

The above discussed the integrated circuit of Shay meets all of the claimed limitations except for a logic functionality (52 in instant Fig.5) to emulate logic that is difficult to trigger and to determine whether the supply voltage has reached a level sufficient to trigger the difficult to trigger logic. Ansel et al. teaches in Fig.3 a circuit having a logic functionality (310) as recited in the claim. Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to utilize that logic functionality taught by Ansel et al. with the prior art (Fig.1 of Shay) in order to ensure all of the critical integrated circuits are operating correctly.

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*Conclusion*

9. In view of a new action on the merits, this action is non-final.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai L. Nguyen whose telephone number is 703-306-9178 and Right Fax number is 703-746-3951. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 703-308-4876. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

HLN 

May 13, 2003

  
TIMOTHY P. CALLAHAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800